



Transportation  
External Coordination  
Working Group

# **BREAKOUT DISCUSSION ON PROPOSED DOE CONSOLIDATED GRANT FOR STATES AND TRIBES**

## **PARTICIPANT WORKSHEET**

**(OPTIONAL) COMPLETED BY:**

**NAME:** \_\_\_\_\_

**TITLE/ORGANIZATION:** \_\_\_\_\_

**ADDRESS:** \_\_\_\_\_

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TEC/WG SUMMER 1999 MEETING  
CROWNE PLAZA PHILADELPHIA—CENTER CITY  
PHILADELPHIA, PA JULY 13-15, 1999

## I. INTRODUCTION

This worksheet is designed to help obtain TEC/WG participant input on a proposed DOE consolidated grant that is the focus of breakout sessions being held at the Summer 1999 TEC/WG meeting. The intent of this worksheet is not to limit discussions, but to help prioritize for the members what their most important issues are, and to provide another avenue for obtaining comments in addition to the other avenues currently available. This will help the facilitators and participants to devote the limited time available to the issues having the highest priority.

You have been provided with a grouped set of potential questions/issue statements that will help serve as a basis for discussing features and options of a potential consolidated grant for DOE transportation. The listing below mirrors those group questions. Initially, you will be asked to prioritize among the seven issue areas and then assist the facilitators in determining which issues will be addressed first. During the discussions that will then take place, you should make notes and/or comments on the worksheet beside the appropriate question/issue statement. At the end of the breakout session, the comments will be collected and collated into the meeting minutes developed after the TEC/WG ends. One person will be asked to record the general sense of the breakout group and any issues of importance to them; this person will then work with the facilitators and their flipchart notes to develop a brief summary of discussions to provide to the larger TEC/WG at the end of the meeting.

## II. PRIORITIZING ISSUE AREAS

Please assign a number from 1 to 7, 1 being most important and 7 least important, to the issue areas listed below. This prioritization will be used to help allocate available time among issue areas of the greatest importance.

Topic Area	Priority (1-7)
Allocation Mechanism	
Elements of the Mechanism	
Provisions for Exceptional Cases	
Issues Related to State and Tribal Government Orgs.	
Payment of State Fees	
Administrative Issues	
Other Issues (Please List)	

### III. QUESTIONS FOR DISCUSSION

*(Note: the listing below is preliminary and is not meant to encompass every issue or question that could arise in developing and implementing a consolidated grant approach. Other issues and questions will be identified and discussed fully with all involved parties before implementation decisions are made.)*

DISCUSSION QUESTION	PRIORITY	COMMENTS (OPTIONAL)
<i>Allocation Mechanism: the prototype formula used by FINCALC reflects experience from other federal agency grant programs. Understanding that RW has issued draft policy for implementing Section 180(c) and is concerned that this activity not conflict with their commitments, we suggest that discussion about each proposed approach clarify key issues and lead to development of a set of pros and cons about various components of an allocation mechanism.</i>		
1. Assuming that consolidating DOE transportation grants is a preferred approach, should allocations be made based on recipients' needs, or on the impact they are likely to experience compared with that of other jurisdictions? How different are the two criteria? Should an equitable approach incorporate aspects of both?		
2. How would "needs" and/or "impacts" be measured? The prototype formula used by FINCALC uses number of shipments, mileage along potential routes, and population along those routes. What other factors could or should be examined?		
3. If a formula uses population, mileage, and shipment numbers, should these factors (or others) be weighted equally or differently, and if so, how?		

4. Would a non-formula, needs-based approach be preferable to a formula approach? Why or why not?		
5. Would a proposed set-aside for Tribes be an appropriate approach? Why or why not?		
6. Tribes along current and planned DOE transportation routes have unique jurisdictional responsibilities and constitutionally-protected rights. How might an allocation scheme address those responsibilities and rights equitably?		

<p><b><i>Elements of the Mechanism: the DOE Working Group identified the need for a base level of funding plus some measure of impact in allocating the funding. The group also discussed the notion of variable impact from different kinds of materials. The questions in this section focus on preferences for funding splits between the base and impact levels (assuming you provide some consistent level of funding with the base), on the quality of the shipment data used as the basis for allocation decisions, and on how the grant should be structured to ensure achievement of desired outcomes.</i></b></p>		
<p>7. Some Federal agencies allocate funding using a “baseline” proportion for all recipients, and then allocate the remainder based on some measure of impact. What would an adequate baseline level be? What should the proportion of baseline to impact be?</p>		
<p>8. In determining potential impacts, should all radioactive materials shipments be treated equally, regardless of the commodity being shipped? If not, how should distinctions be made among materials?</p>		
<p>9. Every State or Tribe that sees even a single shipment of DOE materials pass through its jurisdiction is arguably impacted by that shipment, but if every jurisdiction were entitled to funding there may not be enough funds remaining to adequately compensate heavily impacted States and Tribes. Should there be a threshold below which some States and Tribes might see shipments, but not be eligible for funding? What would that threshold be?</p>		

10. Some data on forecasted DOE shipments are available, but do not completely cover all shipments that might occur. Assuming the data are not perfectly accurate and that changes in plans are certain to occur, how good does DOE's information about planned shipments need to be before an allocation based on such data would be sufficiently fair?		
11. DOE's goal in developing and implementing a consolidated grant is to enhance fulfillment of its transportation mission (improved pre-shipment planning and coordination, increased administrative efficiency and streamlined transportation operations, enhanced awareness and preparedness by impacted jurisdictions and increased fairness in funding allocations). How should the grant be designed—what criteria should be included—to ensure achievement of these desired outcomes?		
<b><i>Provisions for Exceptional Cases: discretionary grants have been proposed. These questions reflect what those grants would include and how to administer their award.</i></b>		
12. Discussions have taken place about whether to have a “discretionary grants” component that would be available for any jurisdiction or involved organization that had special needs or requirements that might not be accurately reflected in an allocation formula. On what basis should jurisdictions be entitled to a supplemental discretionary grant?		

<p>13. There also have been discussions about developing a “peer review” process for discretionary grant implementation that would permit representatives of States and Tribes, and State and Tribal groups, to provide input on implementation of the program and help evaluate discretionary grants. What might such a peer review group look like? What potential conflicts of interest could arise, and how would they be addressed?</p>		
<p><b><i>Issues Related to State Government and Tribal Organizations: one other suggestion is to continue to fund Tribal organizations and to fund States through the regional groups, similar to the funding implemented by WIPP. A key question is to clarify the role of such organizations.</i></b></p>		
<p>14. DOE is planning to continue funding for regional groups to support early planning for large-scale shipping campaigns. What role could regional and other groups play?</p>		

<b><i>Payment of State Fees: currently, some States assess inspection and enforcement fees for shipment of radioactive materials through their jurisdictions. This question addresses the equity of DOE providing funding while also paying fees as a shipper.</i></b>		
15. Should grants to those jurisdictions be reduced somehow to reflect the fact that payments are already being made by DOE as a shipper? How would this be done?		
<b><i>Administrative Issues: some of the questions raised center on the pros and cons of a DOE centralized office grant administration and those for a WIPP or other regionalized grants structure. Other questions are concerned with the timing of funding to local responders, on the desired degree of flexibility of guidance and on State and Tribal reporting requirements.</i></b>		
16. Internally, what would be the preferred way for DOE to administer the consolidated grants program? Should funds come from one office to all recipients? Is so, which one? Or, should funds be linked through Field Offices near the recipient jurisdictions?		



<p>17. Some DOE programs are shipping materials now, and others are planning to ship materials in the near- or long-term. How would an equitable allocation reflect these differences? How far in advance should planned shipments be used in apportioning funds?</p>		
<p>18. What conditions and/or restrictions should DOE place on grants to ensure that the funds allocated are spent properly? How flexible (or restrictive) should potential grant guidance be? In particular, local jurisdictions are likely to be the first responders in the event of an incident. How might DOE ensure that assistance reaches those who need it?</p>		
<p>19. What reporting requirements of States and Tribes can be used to address the need for DOE programs to meet separate legislative mandates?</p>		

<i>Other Issues: DOE recognizes and values input from TEC members on other issues that are important to them and have not been included in the above list.</i>		
18. What other issues need to be addressed?		

#### IV. ADDITIONAL COMMENTS

Please feel free to provide any additional comments in the space below, or on the back of any of these pages.

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Thank you for your comments! Please give this worksheet to your facilitator, or return to UETC staff , before the end of the meeting.